

MAY 02 2002

COPY OF PAPERS  
ORIGINALLY FILED

RECEIVED/653

MAY 06 2002

Patent Docket No. 741135-000010-C

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: SIFFERT, W.

Group: 1655

Application No.: 09/836,697

Examiner: Carla Myers

Filed: 04/16/2001

For:

THE USE OF A GENETIC MODIFICATION IN THE GENE FOR  
HUMAN G PROTEIN  $\beta$ 3 SUBUNIT FOR THE DIAGNOSIS OF  
DISEASES

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

1. Transmittal Form (1 pg.);
2. Third Preliminary Amendment with Markings to Show Changes Made in Claims (6 pp.);
3. Return Receipt Postcard;

is on the date shown below being:

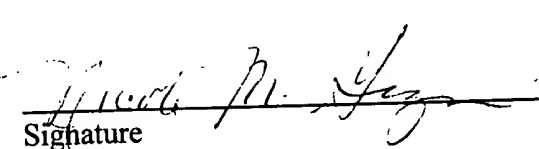
MAILING

X deposited with the United States Postal Service  
and with sufficient postage as first class mail in an  
envelope addressed to the Assistant Commissioner  
for Patents, Washington, D.C. 20231.

Date: April 23, 2002

FACSIMILE

transmitted by facsimile to the Patent  
Trademark Office.

  
Signature

Nicole M. Gignac  
(type or print name of person certifying)



COPY OF PAPERS  
ORIGINALLY FILED

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/836,697

Filing Date 04/16/2001

First Named Inventor SIFFERT, W.

Group Art Unit 1655

Examiner Name Carla Myers

Total Number of Pages in This Submission

Attorney Docket Number 741135-000010-C

RECEIVED

MAY 06 2002

TECH CENTER 600/2900

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):  
Certificate of Mailing; Return Receipt Postcard.

Remarks

The Commissioner is authorized to charge fee deficiencies to the NIXON PEABODY LLP deposit account 50-0850.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

David S. Resnick (Reg. No. 34,235)  
Lana A. Shvartsman (Reg. No. 48,502)  
NIXON PEABODY LLP, 101 Federal Street, Boston, MA 02110

Signature

Date

4/23/02

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 4/23/2002

Typed or printed name

Nicole Gignac

Signature

Nicole M. Gignac

Date

4/23/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: SIFFERT, W.  
Application No.: 09/836,697  
Filed: 04/16/2001  
For:

Group: 1655  
Examiner: Carla Myers

THE USE OF A GENETIC MODIFICATION IN THE GENE FOR  
HUMAN G PROTEIN  $\beta_3$  SUBUNIT FOR THE DIAGNOSIS OF  
DISEASES

TECH CENTER 1600/2900

MAY 06 2002

RECEIVED

COPY OF PAPERS  
ORIGINAL FILED

CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

7/23/2002  
Date

Nicole M. Gignac  
(type or print name of person mailing paper)

*Nicole M. Gignac*  
Signature of person mailing paper

Assistant Commissioner for Patents  
Washington D.C. 20231

THIRD PRELIMINARY AMENDMENT

Preliminary to calculation of the filing fee and examination on the merits, please amend the application identified in caption as follows:

IN THE CLAIMS:

Please cancel claim 20.

Please amend claims 21, 23, 26 and 27 as follows:

21. The method as claimed in Claim 37, comprising comparing said gene obtained from a subject which encodes a human G protein  $\beta_3$  subunit to the gene sequence of SEQ ID NO: 1.
23. The method as claimed in Claim 37, wherein the presence of a genetic modification in the gene obtained from a subject is determined by sequencing.